

Draft Hardwood Retention Rules (10/18/02):

1. Revise 959.15 (a) and add 939.15 (a) as follows:

(a) ~~Notwithstanding 14 CCR § 932.7(c)[952.7(c)], up to 35 sq. ft. basal area of deciduous oaks where present at the time of timber harvest shall be retained or regenerated, and protected. 400 square feet basal area of oak per 40 acres should be retained and protected, giving preference to deciduous oaks within the plan area.~~ However if, after harvest, deciduous oaks would be likely to substantially increase in cover over the long term relative to commercial conifer species the provisions of 14 CCR § 932.7(c) [952.7(c)] shall be followed.

Preference Oaks should shall be given to retention of deciduous oaks retained on in areas designated by the Department of Fish and Game as deer migration corridors, holding areas, or key winter and summer ranges or other habitat areas where deciduous oaks are critical to wildlife when consistent with good forestry practices. The retention and regeneration mixture shall be designed to create over time the full range of deciduous oak size and age classes across the biological assessment area.

(1) Exceptions to these retention standards that support site-specific wildlife habitat management activities may be approved by the Director when explained and justified in the plan.

Authority cited: Sections 4551 and 4561, Public Resources Code. Reference: Sections 4551, 4561 and 4561.1, Public Resources Code.

PREVIOUSLY ADOPTED LANGUAGE BELOW (HARDWOODS 2002)

Amend 932.9 and 952.9 Cumulative Impacts Assessment Checklist
Appendix Technical Rule Addendum No. 2

e. Hardwood Cover: Hardwoods provide an important element of habitat diversity in the coniferous forest and are utilized as a source of food and/or cover by a large proportion of the state's bird and mammal species. Productivity of deer and other species has been directly related to mast crops. Hardwood cover can be estimated using the basal area per acre provided by hardwoods of all species.

Post-harvest deciduous oak retention for the maintenance of habitats for mule deer and other hardwood-associated wildlife shall be guided by the Joint Policy on Hardwoods between the California Board of Forestry and California Fish

1 and Game Commission (5/9/94). To sustain wildlife, a diversity of stand structural and seral conditions, and tree size
2 and age classes of deciduous oaks should be retained in proportions that are ecologically sustainable. Regeneration
3 and recruitment of young deciduous oaks should be sufficient over time to replace mortality of older trees. Deciduous
4 oaks should be present in sufficient quality and quantity, and in appropriate locations to provide functional habitat
5 elements for hardwood-associated wildlife.

6 Note: Authority cited: Sections 4551 and 21080.5, Public Resources Code. Reference: Sections 4512, 4513, 4551.5,
7 4582.6, 21000(g), 21002, and 21080.5, Public Resources Code; *Natural Resources Defense Council, Inc. v. Arcata*
8 *Nat. Corp.* (1976) 59 Cal.App.3d 959; 131 Cal.Rptr. 172; *Laupheimer v. State* (1988) 200 Cal.App.3d 440; 246
9 Cal.Rptr. 82.

10 Prep. 10/15/02

11 J.Mote